

## REMARKS

### Summary of the Office Action

Claims 1-3, 7, 17-19, 23-26 and 30 are considered in the Office Action.

Claims 1-2, 17-18 and 24-25 have been rejected under 35 U.S.C. § 102(e) as anticipated by Ringness U.S. Patent 6,456,395 (“Ringness”).

Claims 3, 19 and 26 have been rejected to under 35 U.S.C. § 103(a) as obvious over Ringness in view of Gass U.S. Patent No. 5,822,503 (“Gass”).

Claims 7, 23 and 30 are rejected under 35 U.S.C. § 103(a) as obvious over Ringness in view of Hains U.S. Patent No. 6,262,811 (“Hains”).

### Reply to § 102(e) Rejections

This invention utilizes PostScript patterns, which are specific types of PostScript commands. (Specification at page 7, lines 16-18). Independent claims 1, 17 and 24 recite methods, apparatus and corresponding program storage media that, among other things, add PDL code to a print job for painting retrieved image data as a PostScript pattern in the print job, and paint the retrieved image data as a PostScript pattern in the print job.

Unlike the claimed invention, Ringness does not describe or suggest anything regarding PostScript patterns. Ringness describes a system that generates PostScript code to redefine the setcmykcolor and setrgbcolor variables used by a PostScript printer. (Col. 9, lines 18-27). These variables are completely unrelated to PostScript patterns, and Ringness does not describe or suggest anything to the effect that the setcmykcolor and setrgbcolor variables are somehow related to PostScript patterns. Nevertheless, the Office action at 2 asserts that adding PDL code that redefines the setcmykcolor and setrgbcolor variables is identical to adding PDL code to a print job for painting retrieved image data as a PostScript pattern in the print job. The Office action does not identify any basis for such an assertion, which would effectively eliminate a limitation from the claims.

Further, the Office action has not identified any portion of Ringness that describes or suggests painting a retrieved image data as a PostScript pattern in the print job. Instead, the Office action at 3 states: “figure 6(616) and column 14, lines 33-43 of Ringness – *modified EPS code executed by printer, thus painting the retrieved image*

*data.*” Significantly, the Office action does not assert that Ringness describes painting the retrieved image data as a PostScript pattern (as recited in the claims), but merely asserts that Ringness describes painting the retrieved image data. Indeed, no such assertion could be made, because the cited portion of Ringness merely asserts that “[t]he POSTSCRIPT printer then may print the objects in the EPS file 220 using the redefined RGB and CMYK colorimetric values to the appropriate spot-color plates.” Nothing in Ringness describes or suggests anything about painting retrieved image data as a PostScript pattern.

Because Ringness does not describe or suggest the claimed invention, applicant respectfully requests that the Examiner withdraw the § 102(e) rejections of claims 1, 17 and 24. Because all other pending claims depend from one of claims 1, 17 and 24, applicant further respectfully requests that the Examiner withdraw the § 102(e) and § 103(a) rejections of claims 2-3, 7, 18-19, 23, 25-26 and 30.

#### Conclusion

For the reasons stated above, applicant submits that this application, including claims 1-3, 7, 17-19, 23-26 and 30, is allowable. Applicant therefore respectfully requests that the Examiner allow this application.

Respectfully submitted,

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